

COMMISSIONERS  
MIKE GLEASON - Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

OPEN MEETING ITEM  
**ORIGINAL**



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ARIZONA CORPORATION COMMISSION

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2007 AUG -3 P 1:54

DATE: AUGUST 3, 2007

DOCKET NO: T-03044A-07-0297

AZ CORP COMMISSION  
DOCKET CONTROL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Marc Stern.  
The recommendation has been filed in the form of an Order on:

ASC TELECOM INC.  
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and ten (10) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

AUGUST 13, 2007

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

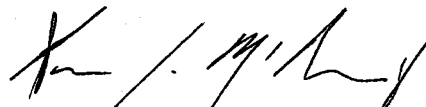
AUGUST 21, 2007 and AUGUST 22, 2007

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission  
**DOCKETED**

AUG 03 2007

DOCKETED BY	nr
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BRIAN C. McNEIL  
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 MIKE GLEASON, Chairman  
4 WILLIAM A. MUNDELL  
5 JEFF HATCH-MILLER  
6 KRISTIN K. MAYES  
7 GARY PIERCE

8 IN THE MATTER OF THE APPLICATION OF  
9 ASC TELECOM, INC. FOR THE  
10 CANCELLATION OF ITS CERTIFICATE OF  
11 CONVENIENCE AND NECESSITY.

DOCKET NO. T-03044A-07-0297

DECISION NO. \_\_\_\_\_

**ORDER**

9 Open Meeting  
10 August 21 and 22, 2007  
11 Phoenix, Arizona

12 **BY THE COMMISSION:**

13 Having considered the entire record herein and being fully advised in the premises, the  
14 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

15 **FINDINGS OF FACT**

16 1. On August 30, 2001, in Decision No. 63997, the Commission granted to ASC  
17 Telecom, Inc. ("Applicant") a Certificate of Convenience and Necessity ("Certificate") authorizing it  
18 to provide competitive resold interexchange telecommunications services, except local exchange  
19 services.

20 2. On May 16, 2007, Applicant filed with the Commission an application to cancel its  
21 Certificate. The application stated that Applicant has ceased operations and has no  
22 telecommunication customers or subscribers in the State of Arizona.

23 3. On July 30, 2007, the Commission's Utilities Division Staff ("Staff") filed a Staff  
24 Report in this matter.

25 4. In the Staff Report, Staff verified that Applicant does not service any Arizona  
26 customers and is no longer doing business in Arizona. Staff stated that Applicant is not holding any  
27 prepayments, deposits, or advances and no customers in Arizona would be at risk by cancellation of  
28 Applicant's Certificate. In addition, Staff stated that there are numerous other carriers offering

1 services similar to Applicant's in Arizona.

2 5. Staff recommended that Applicant's application be approved without a hearing.

3 **CONCLUSIONS OF LAW**

4 1. Applicant is a public service corporation within the meaning of Article XV of the  
5 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

6 2. The Commission has jurisdiction over Applicant and the subject matter of the  
7 application.

8 3. The cancellation of Applicant's Certificate is in the public interest.

9 4. Pursuant to A.R.S. § 40-282, the Commission may grant the application without a  
10 hearing.

11 5. Staff's recommendation in Findings of Fact No. 5 is reasonable and should be  
12 adopted.

13 **ORDER**

14 IT IS THEREFORE ORDERED that the application of ASC Telecom, Inc. for the  
15 cancellation of its Certificate of Convenience and Necessity to provide competitive resold inter-  
16 exchange services is hereby approved.

17 IT IS FURTHER ORDERED that ASC Telecom, Inc. is no longer authorized to provide  
18 resold intraexchange services in Arizona.

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1 IT IS FURTHER ORDERED that the tariffs of ASC Telecom, Inc. on file with the  
2 Commission are hereby cancelled.

3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

5  
6  
7 CHAIRMAN

COMMISSIONER

8  
9 COMMISSIONER

COMMISSIONER

COMMISSIONER

10 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive  
11 Director of the Arizona Corporation Commission, have  
12 hereunto set my hand and caused the official seal of the  
13 Commission to be affixed at the Capitol, in the City of Phoenix,  
14 this \_\_\_\_ day of \_\_\_\_\_, 2007.

15 BRIAN C. McNEIL  
16 EXECUTIVE DIRECTOR

17 DISSENT \_\_\_\_\_

18 DISSENT \_\_\_\_\_

MES:db

1 SERVICE LIST FOR: ASC TELECOM, INC

2 DOCKET NO.: T-03044A-07-0297

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